UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
SAM, PHIRIN

ART UNIT	PAPER NUMBER
2661	

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *26 October 2000*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-50* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-50* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *26 October 2000* is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

PHIRIN SAM
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2-4*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Drawings

1.   The drawings are objected to because figures 1 and 2 are not clearly seen. Especially,

numerical labels. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in

reply to the Office action to avoid abandonment of the application. Any amended replacement-

drawing sheet should include all of the figures appearing on the immediate prior version of the

sheet, even if only one figure is being amended. The figure or figure number of an amended

drawing should not be labeled as "amended." If a drawing figure is to be canceled, the

appropriate figure must be removed from the replacement sheet, and where necessary, the

remaining figures must be renumbered and appropriate changes made to the brief description of

the several views of the drawings for consistency. Additional replacement sheets may be

necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be

labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any

portion of the drawing figures. If the examiner does not accept the changes, the applicant will be

notified and informed of any required corrective action in the next Office action. The objection

to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1, 2, 6-38, 40-44, 46-48, and 50 are rejected under 35 U.S.C. 102(b) as being

anticipated by Dewkett et al (U.S. Patent 5,646,676).

Dewkett et al discloses the invention (**claims 32-36**) as claimed including a system for

enabling a continuous stream of audio visual data to be sent to a network device, comprising:

(a)   a central server having a memory associated therewith, the memory having stored therein

a plurality of files (see Fig. 1, col. 8, lines 60-65, col. 9, lines 11-19).

(b)   a local server coupled to the central server and having a memory associated therewith

(see Figs. 1, 3, and 4, col. 8, lines 60-67, col. 9, lines 1-19), the local server configured to obtain

a file from the central server when the file that is requested is not stored in the memory

associated with the local server (see Fig. 7, col. 16, lines 37-41).

(c)   a plurality of network devices coupled to the local server (see Fig. 1, elements 109-1 –

109-N and 106, col. 9, lines 28-40), each of the plurality of network devices being configured for

sending a file request to the local server, the file request indicating a request for audio visual data

associated with a requested file (see Fig. 1, 3, and 4, elements 109-1 – 109-N, col. 9, lines 41-45,

col. 10, lines 35-45).

Regarding claims 41-44, 46-48, and 50, Dewkett et al discloses a network device

adapted for being coupled to a network including a local server coupled to a central server, the

local server adapted for being coupled to a plurality of network devices, the network device

being adapted for interactively controlling a flow of audio visual data from the central server to

the network device, comprising:

(a)   a processor (see Figs. 11 and 12, col. 16, lines 12-13).

(b)   a memory, at least one of the processor and the memory being adapted for:

(b1)   obtaining a control command at the network device, the control command indicating a desired modification to the flow of the audiovisual data from the central server to the network device (see Figs. 6, 7, and 12, col. 15, lines 31-49, and col. 16, lines 13-20, 37-41).

(b2)   sending the control command from the network device to the central server via the local server (see Figs. 5A and 11, col. 12, lines 36-39 and col. 15, lines 50-52).

(b3)   receiving a modified flow of the audiovisual data from the central server at the network device in response to the control command (see Figs. 7 and 12, col. 15, lines 54-67, and col. 16, lines 37-41).

Regarding claims 1, 2, 6, and 7, Dewkett et al discloses in a network including a local server coupled to a central server, the local server being coupled to a plurality of network devices (see Fig. 1), a method of interactively controlling from one of the plurality of network devices a flow of audio visual data from the central server to the network device, the method comprising:

(a)   obtaining a control command at the network device, the control command indicating a desired modification to the flow of the audio visual data from the central server to the network device (see Figs. 5A, 6, and 11, col. 15, lines 31-49, and col. 16, lines 20-26).

(b)   sending the control command from the network device to the central server via the local server (see Figs. 5A and 11, col. 12, lines 36-39, and col. 15, lines 50-52).

(c)   receiving a modified flow of the audio visual data from the central server at the network device in response to the control command (see Fig. 12, col. 15, lines 54-67, and col. 16, lines 37-41).

Regarding claims 8-19, 24, and 25, Dewkett et al discloses in a network including a local server coupled to a central server, the local server being coupled to a plurality of network

devices, a method of interactively controlling from one of the plurality of network devices a flow of audio visual data from the central server to the network device, the method comprising:

(a)   receiving a control command at the local server from the network device, the control command indicating a desired modification to the flow of the audio visual data from the central server to the network device (see Fig. 5A, col. 12, lines 34-61).

(b)   sending the control command to the central server (see Fig. 5A, col. 12, lines 36-39).

(c)   receiving a modified audiovisual data flow from the central server in response to the control command (see Figs. 7 and 12, col. 15, lines 54-67, and col. 16, lines 37-41).

(d)   transmitting the modified audio visual data flow from the local server to the network device, thereby enabling the network device to modify the flow of the audio visual data from the central server to the network device (see Fig. 12, col. 15, lines 54-67).

Regarding claims 20-23 and 26, Dewkett et al discloses a central server adapted for being coupled to a local server, the local server being coupled to a plurality of network devices, the central server being adapted for transmitting a audio visual data stream from the central server to one or more of the plurality of network devices via the local server, comprising:

(a)   a processor (see Fig. 1, element 101).

(b)   a memory, the memory storing therein instructions (Fig. 1, element 102) for:

    (b1)   receiving a control command from one of the plurality of network devices, the control command indicating a desired modification to the audio visual data stream being transmitted from the central server to the one of the plurality of network devices via the local server (see Fig. 5A, col. 12, lines 36-39).

(b2)   sending a modified audiovisual data stream from the central server to the network

device via the local server in response to the control command, thereby enabling an audio visual

data stream being transmitted from the central server to the network device to be interactively

controlled from the network device (see Figs. 5A and 7, col. 12, lines 49-61, and col. 16, lines

37-41).

Regarding claims 27 and 28, Dewkett et al discloses a local server adapted for being

coupled to a central server and to a plurality of network devices, the local server being

configured for interactively controlling a flow of audio visual data from the central server to one

of the plurality of network devices, comprising:

(a)   a processor (see Fig. 4, element 401, col. 11, lines 7-13).

(b)   a memory storing therein the following instructions:

(b1)   instructions for receiving a control command at the local server from the network

device (see Figs. 4 and 5A, col. 12, lines 34-48), the control command indicating a desired

modification to the flow of the audiovisual data from the central server to the network device

(see Fig. 5A, col. 12, lines 38-39)

(b2)   instructions for sending the control command to the central server (see Fig. 5A,

col. 12, lines 34-39).

(b3)   instructions for receiving a modified audiovisual data flow from the central server

in response to the control command (see Fig. 5A, col. 12, lines 40-42).

(b4)   instructions for transmitting the modified audio visual data flow from the local

server to the network device, thereby enabling the network device to modify the flow of the

audio visual data from the central server to the network device (see Figs. 5A and 7, col. 13, lines 48-67, col. 14, lines 1-15, and col. 16, lines 37-41).

Regarding claims 29-31, Dewkett et al discloses a local server coupled to a central server, the local server being coupled to a plurality of network devices, the local server being adapted for interactively controlling from one of the plurality of network devices a flow of audio visual data to the network device, comprising:

(a)   a processor (see Fig. 4, element 401, col. 11, lines 7-13).

(b)   a memory, the memory storing therein the following instructions (see Fig. 4, element 403):

(b1)   instructions for receiving a control command at the local server from the network device, the control command requesting an initiation of audio visual data flow associated with a specified file (see Fig. 4, col. 11, lines 30-38).

(b2)   instructions for determining whether the specified file is stored in a memory associated with the local server (see Fig. 4, col. 11, lines 63-67).

(b3)   instructions for sending the control command to the central server when it is determined that the specified file is not stored in the memory associated with the local server (see Fig. 5A, col. 12, lines 36-39).

Regarding claims 37, 38, and 40, Dewkett et al discloses a local server adapted for being coupled to a central server and a plurality of network devices, the local server being configured to interactively control from one of the plurality of network devices a flow of audio visual data from the central server to one of the plurality of network devices, comprising:

(a)   a processor (see Fig. 4, element 401, col. 11, lines 7-13).

(b)   a memory associated therewith, the memory storing therein the following instructions

(see Fig. 4, element 403, col. 11, lines 7-13):

(c)   instructions for receiving a first control command at the local server from the network

device, the first control command indicating a desired initiation of data flow associated with a

specified file (see Fig. 4, col. 11, lines 42-58).

(d)   instructions for forwarding the first control command to the central server (see Fig. 5A,

col. 12, lines 36-39).

(e)   instructions for receiving audiovisual data stream from the central server at the local

server in response to the first control command (see Fig. 7, col. 16, lines 37-41).

(f)   instructions for transmitting the audio visual data stream from the local server to the

network device (see Figs. 4 and 7, col. 12, lines 49-61, and col. 16, lines 37-41).

(g)   instructions for receiving a second control command at the local server from the network

device, the second control command indicating a desired modification of data flow (see Fig. 5A,

col. 12, lines 62-67).

(h)   instructions for forwarding the second control command to the central server (see Fig.

5A, col. 12, lines 36-39).

(i)   instructions for receiving a modified audio visual data stream from the central server at

the local server in response to the second control command (see Fig. 7, col. 16, lines 37-41).

(j)   instructions for transmitting the modified audiovisual data stream from the local server to

the network device (see Fig. 5A, col. 12, lines 56-61).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dewkett et al

(U.S. Patent 5,646,676) in view of Kouloheris et al (U.S. Patent 5,915,094).

Regarding claims 3-5, Dewkett et al does not disclose a compressed audiovisual data

stream. However, Kouloheris et al discloses the compressed audiovisual data stream (see Figs 8

and 9, col. 12, lines 1-37). At the time of the invention, it would have been obvious to a person

of ordinary skill in the art to combine the compressed audiovisual data stream teaching by

Kouloheris et al with Dewkett et al. The motivation for doing so would have been to provide to

optimize the bandwidth and low cost read on column 1, lines 42-47. Therefore, it would have

been obvious to combine Kouloheris et al and Dewkett et al to obtain the invention as specified

in the claims 3-5.

6.   Claims 39, 45, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Dewkett et al (U.S. Patent 5,646,676) in view of Kamiya (U.S. Patent 5,899,699).

Regarding claims 39, 45, and 49, Dewkett et al does not disclose the specified file is a

karaoke file. However, Kamiya discloses the specified file is the karaoke file (see Fig. 2, col. 3,

lines 31-59). At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to combine the specified file is the karaoke file teaching by Kamiya with Dewkett

et al. The motivation for doing so would have been to provide to reduce the waiting time read on

column 1, lines 63-67. Therefore, it would have been obvious to combine Kamiya and Dewkett et al to obtain the invention as specified in the claims 39, 45, and 49.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) Ishii et al (U.S. Patent 6,477,506) discloses terminal apparatus, information service center, transmitting system, and transmitting method.

(2) DuLac et al (U.S. Patent 6,442,599) discloses video storage unit architecture.

(3) Ishigaki et al (U.S. Patent 6,271,455) discloses music piece (mp) distributing apparatus, mp receiving apparatus, mp distributing method, mp receiving method, and mp distributing system.

(4) Taniguchi et al (U.S. Patent 6,022,223) discloses video/audio data supplying device.

(5) Day et al (U.S. Patent 5,996,015) discloses method of delivering seamless and continuous presentation of multimedia data files to a target device by assembling and concatenating multimedia segments in memory.

(6) Kouloheris et al (U.S. Patent 5,915,094) discloses disk access method for delivering multimedia and video information on demand over WAN.

(7) Kato et al (U.S. Patent 5,886,275) discloses transporting method of karaoke data by packets.

(8) Kato et al (U.S. Patent 5,810,603) discloses karaoke network system with broadcasting of background pictures.

(9) Tashiro et al (U.S. Patent 5,654,516) discloses karaoke system having a playback source with pre-stored data and a music synthesizing source with rewriteable data.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Phirin Sam whose telephone number is (571) 272-3082. The

examiner can normally be reached on Mon-Fri, 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kenneth N Vanderpuye can be reached on (571) 272 - 3078. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully submitted,

Date: September 27, 2004

PHIRIN SAM
PRIMARY EXAMINER